

Commission on Human Rights

KY Human Rights Commission rules on discrimination complaints at November meeting

Press Release Date: Thursday, November 20, 2014

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The Kentucky Commission on Human Rights Board of Commissioners on Nov. 20 ruled on discrimination complaints for the people of Kentucky. The meeting was held at commission headquarters in Louisville, Ky.

The commission ruled to approve three conciliation agreements. It approved six case withdrawals that were resolved with private settlements. It approved five case withdrawals, giving complainants the right to file private suits. The board ruled to dismiss 12 complaints with findings of no probable cause to evidence that discrimination occurred. The commission successfully resolved two complaints through private mediation.

Conciliation agreements are similar to settlement agreements and are negotiated by commission representatives. Respondents participating in the agreements deny any allegations of unlawful discrimination and violations of civil rights law. Following is a summary of the conciliation agreements approved at the meeting:

Whitney Richardson v. Winterwood Inc., Hopewell Apts., and Lisa Carkin, property manager, in Paris, Ky.: Whitney Richardson complained to the commission on Dec. 11, 2013, that she was discriminated against by her landlords based on race, African American, in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act. Richardson claimed she unfairly received an eviction notice ordering her to leave her apartment at 13 Spears St., in Paris Ky., because of her race, and she claimed she did not pay one month's rent because property manager Lisa Carkin avoided her, and there was no drop box. She claimed the property manager used racial epithets and made racially derogatory remarks in conversation around Richardson. The respondents asserted that they gave an eviction notice because Richardson was late on rent and for one month did not pay rent. The property manager said the use of racial epithets or slurs in conversation as alleged did not occur. The respondents also claimed the property manager was not avoiding Richardson and that Richardson could have used the U.S. Mail to pay the rent. The other respondents confirmed that Carkin was no longer an employee and said that this was unrelated to the complaint. Richardson dropped the complaint against Carkin. Before the investigation

proceeded further, the parties chose to resolve the matter with a conciliation agreement. The respondents denied any violation of the law. Winterwood Inc. and Hopewell Apts. agreed to compensate Richardson in the amount of \$4,000. They agreed to undergo fair housing law compliance training and submit to fair housing law compliance monitoring by the commission for three years.

Lauren Proehl v. Campus Evolution Villages South and Dana Dambra, in Murray, Ky.: Lauren Proehl complained to the commission on June 5, 2014, that she was discriminated against by her landlords at her residence located at 908 Murray Place Dr., in Murray, based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. She claimed she was denied her request to the respondents for a reasonable accommodation of being allowed to have an emotional support animal living with her on the premises. She claimed she had provided medical documentation to the respondents supporting her request. She said she was told the respondents have a policy of prohibiting emotional support animals as a reasonable accommodation. Prior to a commission determination, the parties chose to resolve the matter with a conciliation agreement. The respondents deny any violation of the law. The respondents agreed to compensate Proehl in the amount of \$1,050, to undergo fair housing law compliance training, and to submit to fair housing law compliance monitoring by the commission for three years.

Rose Bowles v. Donard Park Avenue Condominium Association and Hope Benham, association manager, in Louisville, Ky.: Rose Bowles complained to the commission on July 24, 2014, that she was discriminated against by the respondents based on the protected class of disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. Bowles claimed she was denied the full enjoyment of her home at 103 Donard Park Ave., in Louisville, because there were no disability parking spaces in the respondent's parking lot. She said that in April 2014, she spoke with the condo association about this and was told it did not have to provide a disability parking place for her. By order, the commission dismissed the complaint against Hope Benham, the condominium association manager. Prior to a commission determination, Bowles and the Donard Park Avenue Condominium Association chose to resolve the complaint with a conciliation agreement. The association denied any violation of the law. It agreed to provide Bowles with a disability-accessible parking place designated to her unit and agreed to revise its parking policy to comply with the Kentucky and U.S. Fair Housing acts. The respondent agreed to undergo fair housing law compliance training and to submit to fair housing law compliance monitoring by the commission for three years.

The Kentucky Commission on Rights is the state government authority that enforces the Kentucky Civil Rights Act, and through its affiliations with the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Dept. of Housing and Urban Development (HUD), enforces the United States Civil Rights Act.

The Kentucky Civil Rights Act makes it illegal to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited based on race, color, religion, national origin, gender, and disability. In employment, discrimination is further prohibited on the basis of age (40-years and over) and tobacco-

smoking status. In housing, discrimination is further prohibited based on familial status, which protects people with children in the household under the age of 18-years old and protects women who are pregnant.

For more information, contact the commission at 1.800.292.5566. For details about civil rights and commission activities, visit the website at kchr.ky.gov. For news about civil rights and information pertaining to protected classes, visit the Kentucky Commission on Human Rights Facebook and Twitter sites.